

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

DERELL MEYNARD, individually and on behalf of all others  
similarly situated.

Plaintiffs,

- against -

WHOLE FOODS MARKET GROUP,

Defendants.

Case #: 18-CV-  
00086(SJF)(AKT)

DECLARATION OF  
ANDRE BRICE

I, Andre Brice, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge and belief.

1. My name is Andre Brice. I currently reside in the State of New York, Rockland County.
2. I was employed as a cashier by Whole Foods Market Group at its White Plains store—located at 110 Bloomingdale Road, White Plains, New York 10605—in 2012.
3. During my employment with the Defendants, there were approximately twelve to thirteen cashiers.
4. All twelve to thirteen cashiers were manual laborers. Their responsibilities required that they work with their hands far in excess of 25% of the time. Responsibilities include scanning and bagging customers' items, returning unwanted items back to the salesfloor, and keeping our station clean.
5. Of a regular eight-hour workday, my entire shift consisted of tasks and responsibilities that required me to work with my hands far in excess of 25% of the time.
6. During my employment with Whole Foods Market Group, there were at least 100 employees in total at the White Plains location.

7. The only job titles at the White Plains store who were not engaged in manual labor at least 25% of the time were the store manager, the assistant manager(s), the marketing team, and other office personnel.
8. Of the 100 employees at the White Plains store, I would estimate that at least 90 of the employees, or 90%, are manual laborers. Departments like seafood, grocery, bakery, specialty, produce, among others, perform similar functions and responsibilities to those of cashiers. Their job is to unpack shipments, stock their department, rotate inventory, create and maintain displays, assist customers, and keep their department clean and organized.

I declare that the foregoing is true and correct.

Dated: Huntington, New York  
November 25, 2020

Andre Brice  
Andre Brice